

1 The Honorable Ricardo S. Martinez
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 DENYS IARMAK,

19 Defendant.

20 NO. CR19-257RSM
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23 **ORDER CONTINUING TRIAL DATE
24 AND PRETRIAL MOTIONS
25 DEADLINE**

26 THE COURT, having considered the Stipulated Motion to Continue Trial Date
27 and Deadline to File Pretrial Motions, any responses, filings, or memoranda related
28 thereto, and all the files and records herein, finds as follows:

29 1. The facts and circumstances are as set forth in the Stipulated Motion to
30 Continue Trial Date and Deadline to File Pretrial Motions, and this Court's prior order,
31 Dkt. #33;

32 2. Failure to grant a continuance in this case will deny counsel the reasonable
33 time necessary for effective preparation of trial and other pretrial proceedings, taking into
34 account the exercise of due diligence;

35 3. Failure to grant a continuance would likely result in a miscarriage of
36 justice, and the case is complex due to such factors as the nature of the prosecution, the
37 potential novel questions of law and fact, the size, scope, and technical nature of

1 discovery, the foreseeable trial evidence, availability and continuity of counsel, the
2 potential serious consequences of conviction, and significant complications arising from
3 the recent COVID-19 outbreak;

4 4. The ends of justice served by granting this continuance outweigh the best
5 interest of the public and the defendants in a speedy trial;

6 5. All these findings are made within the meaning of 18 U.S.C.

7 | § 3161(h)(7)(A) and (B)(i),(ii) and (iv);

8 6. The period of time from the filing date of the Stipulated Motion to
9 Continue Trial Date and Deadline to File Pretrial Motions until the new trial date, set
10 forth below, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.
11 § 3161(h)(7)(A).

12 IT IS THEREFORE ORDERED that:

13 1. The trial in this matter is continued to February 14, 2022.

14 2. Pre-trial motions are due no later than October 7, 2021. Any pretrial
15 motion shall be noted for consideration on the third Friday after it is filed, with any
16 response thereto due no later than 14 days after filing of motions.

17 3. The defendant shall immediately file with the Court a waiver of rights
18 under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, through the aforementioned trial
19 date, consistent with this Order.

20 DATED this 14th day of June, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

/s/ *Steven Masada*

STEVEN MASADA

STEVEN MISHKIN
Assistant United States Attorney

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